

1966 Olivenhain Road • Encinitas, CA 92024 • Phone (760) 753-6466 • Fax (760) 753-5640

September 21, 1999

Mr. Rick Breitenbach CALFED Delta Program 1416 Ninth Street, Suite 1155 Sacramento, CA 95814

RE: COMMENTS ON THE DRAFT PROGRAMMATIC EIS/EIR

Dear Mr. Breitenbach:

The Olivenhain Municipal Water District wishes to express its appreciation for the opportunity to comment on the Draft Programmatic EIS/EIR covering the CALFED Bay-Delta Program. The Olivenhain Municipal Water District is pleased to see at long last that there is framework for a comprehensive long-term solution for the Bay-Delta problems. Unfortunately, numerous questions must be answered and issues resolved before finalizing the plan and seeking a Record of Decision. The Olivenhain Municipal Water District has concerns regarding water quality, reliability of supply, financing, and appropriate assurances and commitments to continually and effectively move the CALFED Bay-Delta Program forward.

Improved water quality is necessary to enable urban water agencies to continue to safeguard public health and to comply with drinking water treatment regulations in a technologically feasible and cost effective manner. The Olivenhain Municipal Water District supports the need to establish specific bench marks so that we can measure the Program's progress toward improving drinking water quality. Most particularly these benchmarks must set target goals for total organic carbon, bromides and salinity in water delivered from the Bay Delta. The Program must contain credible steps to meet the targets and a timetable of actions so that CALFED can achieve assured benchmarks, as they are required by the people of the State of California. Assurances to obtain specific benchmarks in water quality are critical to CALFED's own water use efficiency program and are necessary to assure expanded water recycling programs.

A Record of Decision must specify these water quality targets and benchmarks and link them to specific actions to be taken on a specific timetable, most particularly in the first phase of implementation of the CALFED Bay-Delta Program. Mr. Rick Breitenbach CALFED Delta Program September 21, 1999 Page 2 of 3

The Final EIS/EIR must develop a more comprehensive plan to produce verifiable improvements in water supply reliability. It is necessary for CALFED to work closely with urban water providers to develop actions that will produce verifiable increases in the reliable water supply for the long term. The people of California must have assurances built on the use of a variety of water management tools in the CALFED Bay-Delta Program including, but not limited to, conservation, water recycling, water transfers and water storage. In addition, for the near term, the people of California must have assurances that CALFED's Program will not reduce Bay-Delta supplies and/or water supply reliability.

The CALFED Program is analyzing surface reservoir and groundwater storage capacity that may be developed as a part of its program. The Final EIS/EIR must identify the amount of additional surface and groundwater storage necessary to meet CALFED Bay-Delta Program goals and specifically identify regional locations of this storage capacity. The CALFED Final EIS/EIR must include programmatic findings sufficient to move forward with needed surface and groundwater storage to make the water supply system more reliable and more flexible. A case in point is the Delta Smelt debacle in the Summer of 1999. More storage capacity would allow water users to draw from storage, when to draw directly from the Delta would adversely effect fish or water quality. Increased storage capacity will make possible a variety of water transfers and is a critical conservation tool to overcome drought and other shortages.

The current Draft EIS/EIR emphasizes improving ways for water to flow through the Delta, most particularly to State and Federal pumps in the South Delta. The Olivenhain Municipal Water District is concerned that measures outlined in the Draft EIS/EIR may not achieve CALFED's stated objectives, particularly in the areas of water quality and fisheries management. The Final EIR/EIS and the Record of Decision must state an objective process for making decisions about future improvements to the Bay Delta conveyance system, including maintaining a viable option in the CALFED Bay Delta Program to provide for a canal to carry water around the Delta to the facilities that convey water to urban and agricultural users in the central and southern portions of the State. The dual conveyance alternative must have a clearly defined decision making process in the Final EIR/EIS and the Record of Decision that ensures a decision on a canal can be attained at the appropriate time.

Negotiations must be completed and the CALFED Final Programmatic EIR/EIS and Record of Decision must contain an Environmental Water Account that is coupled with a commitment to an Endangered Species Act, "no surprises policy". The CALFED Bay Delta solution must restore the Bay Delta Ecosystem. The Delta Ecosystem must be managed as a water-using entity with a budget, and allocations of water, conveyance capacity, and storage access. The Environmental Water Account will increase certainty for users and the ecology. The Smelt issue mentioned above serves as a further example of the necessity of committing to and establishing methods to overcome

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unanticipated problems in meeting regulatory criteria without adverse impacts to water users or the environment.

The CALFED Bay Delta Program must provide firm assurances that its Bay Delta Plan will be carried out as envisioned and meet its objectives in a balanced, timely and equitable manner for the people of the State of California. The CALFED assurances for its Bay-Delta Program must be supported by legislative actions prior to the certification of the Final EIS/EIR and Record of Decision. The legislature must be part of the program.

The Final EIR/EIS and the Record of Decision must include approval and early implementation of Stage-One actions in the South Delta, including expanding the Banks Pumping Plant to 10,300 cubic feet per second before the end of Stage-One. Increased pumping capacity is a conservation method and adds flexibility and reliability to the system.

Finally, CALFED must develop a financing plan for its Preferred Alternative that directly links the contributions made by water users to the benefits they receive from the Program and ensures that all beneficiaries bear a fair share of the costs. CALFED must develop principles for allocating future costs. Those principles must be a part of the Bay-Delta Program and incorporated into the Final EIS/EIR and Record of Decision as well.

Thank you very much for the opportunity to comment on behalf of the citizens served by the Olivenhain Municipal Water District. We wish you great success toward the successful conclusion as well as effective and efficient implementation of the Bay-Delta Program for the benefit of the entire State of California.

Sincerely,

OLIVENHAIN MUNICIPAL WATER DISTRICT

David C. McCollom General Manager

cc: Board of Directors